G. R. S. 58]

Previous references.

File No. 4

19967

Serial Nos. 1-23

(Land Revenue)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-23.

eMajor ~~Part~~ B ~~for~~

SUBJECT.

Appeal of Rameyanda, Santhehalli, Malur Taluk.

Indexed 8/5

Government Memorandum 4/5

W D 1351—GPB—20,000—13-12-15

Petr no 2970 of 1896-97

Petr — Rame Gowda
Santhehalli
Kolar taluk

Subject — Complains that a heavy wate-vali has been charged on his 7 dry s nos converte. into wet & that dry assessment in addition to wet has been recovered

S. no 3

In his letter no 2009/583 of 16/12/97, the Dy Comr, Kolar dt admitted that the rate were possibly excessive but that the Supt declined to fix the rate after the Dy Comr had fixed them; and reported that the allegation of the petr that the dry assessment in addition to wet assessment was received from him was not borne out by the record of the case

The papers were thereupon
forwarded to the Supt of
Rev Survey for remarks.

V. Nos —

In letter no 5-378 11/2/98, the
Supt of Rev Survey reported that
that his rate would be less
than the Dy Comr's by about
Rs 8-14-") that the reason
of the difference lay in the fact
that he (Supt) adopted the neighbouring
wet rate while the Dy Comr had taken
the highest wet rate for his
guidance & suggested that,
as already suggested by him (890),
all water-rates fixed under
Sec 53 of the L R Code should
be fixed by the Survey Dept.)
the present Rule XIX of the
L R Rules being modified
to that effect or a general
Circular to that effect being
issued. All

= In letter no 593 828/11/90 referred
to the Supt was not forthcoming,
a copy has been sent for
& received.

S No 7 -

x Nil D Conr's letter
No 2009 of 16/12/97.
583

The Query of the Asst Commr
regarding the Chandrapada
Canal-water-rate
should be answered by the
Engr Supt. is referred to
the Rev Branch for favour
of note as to whether any
such Standing instructions
do now exist of the provisions
of Rule XIX of the RR
Rule

25/1/98

Seen for the 1st time 16-2-98 MG
Vide reply on Rev 537 dtd 5.2.98

Sub. Standing

In reply to the above Query, a clerk
in the Rev Branch writes (please
see the enclosure from the Exn Engr's
letter No 5.375 11/2/98) "A search
was made for the orders referred to
in the note but none was found"
I do not know of this. Reply

4

is to be accepted as the basis
based on an important
matter in which only the
opinion of the officers in charge
of the Branch can be regarded
as authoritative

M 24/3/98

Mr Rama Rao.

Is there any such
standing order as that
referred to by the
Councillor?

Mr Grant 24/3/98
Will see Mr Rego

Submitted to secretary.

Revised Survey Rule XXV
runs as follows:-

"Should any ryot wish to make use of water stored by Govt. for land entered in the Surv: Regrs: as dry crop ..... the Asst: will at once report the matter in form E attached, with an Estimate of the area for which water is required, to the Supdt: of the Rev: Surv: who will fix a rate, per manent during the period of settlement and which will be entered in the Surv: Regrs: accordingly. The land once assessed under this rule will be always considered to be rice or garden land with the same as all other land entered in the Surv: Regrs: as rice or garden land"

Surv: Manual)

Form E referred to above is printed at page 61 of the Surv: Manual. It Contains 29 Cols:, the heading of Col: 29 being "Survey Supt^ts Signature"

In the Case under notice, the Amildar submitted to the Dy Conr. a statement in Form E with Col: 29 left blank, and the Dy Conr fined the water rate.

the heading of

From what the Supt^t: of Rev: Surv: has stated in para 3 of his letter No: 537, dated 11th: Feby: 1898 — Vide paper serial no: 5 in the Open file — the Revised Surv: Rule quoted above appears to be still in force, if being followed in practice.

The Revised Surv: Rules were issued under the provisions of sec: 28 of Bombay Act I of 1865. The Surv: Guarantee forms one of the Appendices to the Revised Surv: Rules.

Bombay Act I of 1865 is repealed by the Land Rev: Code. (Vide Sch: A - attached to the Code)

sec: 53 of the Land Rev Code & Rule XIX of the Land Rev: Rules

of water. Rule XIX authorizes the Dy Comr. to fix the water rate. But this under rule does not appear to be in practice generally.

Under sec. 53 of the L.R. Code, the Govt. may authorize the Officer in charge of a survey to fix water Rates.

Sec. 2 of the Land Rev Code provides among other matters that

... all other rules (if any) now in force and relating to any of the matters hereinafter dealt with, shall (so far as they are consistent with this Regulation) be deemed to have been ... issued & published hereunder.

Revised sec. Rule XXV, being consistent with sec. 53 of the Land Rev. Code, may be considered to be in force.

This is the only rule I am aware of.

VL
26/3/98

I am of opinion that all doubt in the matter should be removed either by the issue of a circular as suggested by Col. the substitution of "Deputy Commissioner" for "Dy Comr" in Revenue Rule XIX 2, or

Grant -

Please refer file to the Selection Branch.

29/3/98

File returned to Selection Branch.

29/3/98

Sub^d & 2^nd Consulted

In letter No 5378 11/2/98 (Nevatia) the Supt of Survey shows that this assessment of the water-rate is lower than the by-comm^rs by Rs 8-14-11 on the 7 Survey numbers.

He also represents that Rule XIX may be so modified as to provide for the fixing of the water-rate by the Survey Dept in all cases & thus repeal the Rule XXV of Survey Rules.

30/3/98

= The Survey Supt seems to have made the latter suggestion in 1890 but as the letter referred to was not forthcoming a copy has been called for & submitted

30/3/98

Vide orders on Survey Supt's D. 630 of 15 Dec 1890.

First Committee's remarks on

the Survey Dept's letter No 593 S25/11/90
(copy forwarded with No 631/S657/98).

"I am in favour of the amendment proposed to Rule XIX (2) & XX (16) by the Survey Dept in para 3 of this letter. Comm^rs should be instructed & Survey Dept in cases in which they have fixed the assessment without reference to Survey Dept under existing rules since 22/7/90. This may be said to 2nd committee if it requires his approval. After this is disposed of an order may be passed on pet^n No 2970".

— This is a general question.

Sd/ to 2nd committee

7/11/90.

Since intimations

The amendment proposed may be sanctioned.

— Order would convey to intimate what they have done without reference to the S. of S. what otherwise —

— Matter will be discussed & in an addendum with the revised

8.9.98

M2-7 Mr 7.9.98

Draft so as to issue Lessons in Tuesday's list 10/11/98 Drafted 12.9.98.

Sur Supt's letter of 28/11/90

Re-Amendments to Rules

XIX (2) & XX 16

In this case the Sur Supt has not proposed any formal amendment but the purpose & tenor of a circular would be to repeal these rules.

The issue of a circular repealing or modifying a rule having the force of law is open to at least theoretical objection. If the rules have to be amended, then the Sur Supt may be asked to submit a draft amendment with due reference to the following points

(1) Rule XIX (2) has to be amended under Sec 233

His letter asks for amendments & clear indication what the amendments ought to be

AFP

Unnecessary when the amendments inserted in clean

AFP

(2) There seems to be no necessity to amend Rule XX (16) as this simply refers to Sec[n] 50 of the L R code & Rule XVII thereunder

Sec[n] 50 of the code leaves the enforcement of Khandsari (and to "the discretion" of the Govt (comm[r] ") & Rule XVII. regulates the discretion under clause (f) of Sec[n] 233 of the L R code

Hence it seems suppl to amend Rule XVII to exercise of the power conferred by clause (f) of Sec[n] 233 of the code

There is a standing order that all amendments to existing rules should be forwarded to the Sec Suppl for opinion before final

I do not see

+ subject to rules framed by Govt after consulting Sugar Syndicate he may frame the desired

* Perhaps: The question arises in connection with an amendment of Rule XIX

this letter asks for the amend of the two rules AM

Please send the draft under AM 16/9/98

vizt As the Sur Supt has not proposed any formal amendment it seems desirable to request him to do the same & the above rules are approved.

The petn may, if necessary, be disposed of

Independents of the amendments of the rules, as Govt has simply to approve of the revised rate fixed by the Sur Supt

15/9/98

The circumstances which led to the modification of para 2 of Rule XIX regarding the levy of water-rate, and of para 16 of Rule XX regarding the fixing of assessment, are explained in the above note. As proposed by the Survey Supdt., para 2 of Rule XIX was modified so as to require the Dy Commr to fix the water-rate in Surveyed Taluks after reference in each case to the Survey Supdt. Similarly, para 16 of Rule XX, has been modified so that a reference is required to be made to the Survey Supdt. before the Dy Commr can fix the assessment under Section 50 of the L.R. code & the Rules framed thereunder, in the case of lands that have been

Please see Govt Ord:
No. 2932-40/R-1155 dt 12/10/98.

Surveyed but not assessed,
and 2ndly in the case of lands
that have been Surveyed.

With reference to the
above, the Dy Commr of
Furruckur requests instructions
as to the matter or matters
upon which such reference
is required to be made to
the Survey Supt.

No. 411 & 5th Jany 99.

He is of opinion that
such references are un-
necessary in cases in
which the required data
for fixing the assessment or
water-rate are available,
& that where no data are
available, as in the case
of lands which are not
contiguous to assessed lands,
a reference should be made
to the Survey Supt, as the
assessment to be fixed will
depend among other things
upon the quality of the
soil, regarding which no
information is available
in the Rev: Deptt. He further

states that in all cases re-
-ferred to the Survey Suptt.
according to the revised rules, the
assessment or wate-rate leviable
has been fixed by that office
and the Rev: Deptt has to
adopt it; and that if the
decision of the Survey Suptt.
has to be adopted in each
case, the Dy Commr will
have practically no scope for the exercise
of the powers vested in him
by Sections 50 & 53 of the
Land Rev: Code - (If the

X that is arrived at

after taking the consent of the applicant, which means fixing the rate by the Dy Comr

Dy Comr entertains any doubt he may write back to the Survey Suptt and finally proceed to fix the proper rate.)

Section 50 of the L. Rev: Code allows the Dy Commr discretion to fix the assessment on lands not surveyed & settled under Section 106; and the Dy Commr is to be guided by Rule XVII of the L. R. Rules in fixing the assessment under this Section. Para 16, Rule XX (as now modi-
-fied) does not withdraw the powers of the Dy Commr to fix the assessment under Sec: 50, but only requires him to make a reference to the Survey Suptt. before

procedure, the Dy Commr says, is unnecessary in each + every case.

Under Section 53, the Govt have power to authorize the Dy Commr, or the officer in charge of a Survey or such other officer as it appoints, to fix the water-rate. Para 2 of Rule XIX (as now modified) directs that in the Surveyed Taluks "the Dy Commr shall fix "the water-rate ra - - - "after reference in each "case to the Survey Supt".

Therefore, the Dy Commr's power to fix the water-rate has not been withdrawn, by simply requiring him to make a reference to the Survey Supt.

Submitted
to Secretary -
The Govt may
be requested to carry
out the direction
contained in the
Rule now in force -

and water-
class records of
assessed lands
being in the
Survey Dept,
it would be
satisfactory
if the rate
approved by
the Surv Supt:
be fixed &
adopted by the
Dy Com in
each case -

There being now
hardly any
unsurveyed
land - the simple
& uniform procedure
of first sending the
papers to the Surv:
Dept: & then
the Dy Com
announcing
the rate approved
by the Surv-Supt
may be followed.

Yours very
humble Servant
C.

14/2/99

Submitted to Revd E-Dy
14/2/99

Jagua

Section

File No

Serial No

1897

No. 2970.

Abstract and Submit.

1dl V.R.T.

6-4-1897.

Name of Petitioner	Rame Gowda
Village	Santhe Halli.
Taluk	Malur.
District	Kolar.
Date of Arzi	1-4-1897.
Date of Receipt	6-4-1897.
Date of Disposal	
No. of Enclosure	Two.

9/4/97

Endl

Pet^r received endorsement of 10/6/96

He shd explain the delay of 6+3 or 9 months in filing this appeal MJ 12/4/97

Pet^r 13/4/97

9/4/97

Endl with petn 3164 of 22.4.97 which the petr explains the delay

3/5/97

Pet^r gives the usual explanation

1) Cost of time 3 q months (explained by petr)

2) Stamps supplied

3) Appeal against DC's order passed under rule XIX Land Revenue

4) Not a Council case

Sent to 2nd Councillor MJ 5/5/97

Staff Offr MJ 21/5/97

ABSTRACT.

Appeal against the order of the Deputy Commissio Kolar District, No. 776 of 9-5-1 issued to the Amildar, Malu Taluk, regarding levy of water cess on Petitioner's lands.

The order appealed against is as follows:—

"The Yadi received f the Survey Superintendent Sent for your information. I accordance with the order 260 issued from this office, rate of Rs 5-9-0 on 4 Surve Nos and a rate of Rs 4-14-0 on 3 Survey Nos must be levi

t of this amount the dry rate
ust be deducted, the balance
ing treated as water rate.
endorsement to this effect
ust be given to Range Gowda'

Petitioner urges that
water cess levied on the
ry lands, Survey Nos: 41-42-
3-44-60-62-65 below the
oddaken No: 5-19 of Santehalli,
s more than that levied on
the wet lands under the same
ank; that the above dry land
re 4, 5 or 6 feet higher in level
than the wet lands and could
ot be irrigated except when
he tank is quite full; that
he soil is sterile and unfit
for cultivation; that the Taluk
uthorities have not till now
deducted the dry assessment
in accordance with the Deputy
ommissioner's order above
lluded to; that the water cess
levied is higher than that levied
on lands of the same class.

Prays that a rate
suitable to the water convenien
nd the class of the lands
may be ordered to be levied

in addition to refunding him the excess of assessment collected from him for the past years by the Taluk authorities.

Enclosures.

(1) order appealed against

(2) Endorsement given to Rame Gowda by the Amildar, Malur Taluk in pursuance of the order appealed against.

C&R.
9/4/1897.

Pet'r's complaints are two
(1) That the water-cess charged is higher than it should be
(2) That dry assessment has been levied in addition to wet assessment

MM
5/5/97

References.
(sd) V. R. J.
28/4/97.

File No 189 /
Serial No. 364

Name of Petitioner Ramegowda
Village Santhehalli
Taluk Malur
District Kolar
Date of Arzi 22 - 4 - 97
Date of Receipt 28 - 4 - 97
Date of Disposal
No. of Enclosure Two

ABSTRACT.

In reply to this office Endt No 2970 dy 13-4-97 calling for an explanation of the delay of 9 months in preferring his appeal petr., petr. states that he was dangerously ill from 1-6-96; that, being a little better on 20-8-96, he came to know that a copy of the Dy Comm's order was necessary before an appeal could be preferred, that he applied for this copy on 24-8-96; that as the copy was not sent to him through the Tk authorities he had to wait till 26.3.97 to pick up

get the copy by appearing personally and that immediately after securing the copy he preferred this appeal.

Enclosures

① Copy of Dy Commrs order No 776 879-5-96 granted to Pet[r].

② Copy of Endt No 84 dy 10th June 189 granted to Pet[r] by the Amildar, Malur Tk.

C.E.R.
30/4/97.

1724 Rent 27-5-97

MYSORE DEWAN'S OFFICE.

SECTION DEPARTMENT.

File No

Serial No

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 3164 dated 22-4-97 received at the Dewan's Office from Rame Gauda Santhehalli Malur Taluk, Complaining that a heavy water cess has been Charged on his land and that dry assessment has been levied in addition to wet assessment

is forwarded, together with its two enclosures, to the Deputy Commissioner of Kolar District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

Secretary.

BANGALORE,
Dated 25th May 1897

27

25/5/97

Section LR Gen. 31.1
File No 407/1896-7 1897
Serial No 54

4510
Pet 337

From The Dy Commissioner
Kolar District

To
The Secretary to the Government
~~Dewan~~ of Mysore.
Revenue & Genl Department

Dated 16th December
Despatched 20th do
Received
General No. 2009
No. 585.
Enclosure No. 1 file.

Submitting report on the petition from Ramé-gowda, Complaining that a heavy water-cess has been charged on his lands.

Petitioner

22/12/97

To Govt of
25-12-97 (38 Docs)
Rep's petitr.

AK
29-12-97. Sub
4/1/98 MG

The Dy Comr admits that the rate is possibly excessive & suggests that the Survey Supt may be requested to revise the rate.

The Dy Comr does not seem to have instituted enquiry into the petr's allegation that wet rates as well as dry rates may have been collected from him. Perhaps the petr confuses the water-rate with the wet-assessment

Sub Dy Comr Kolar
18/1/98

RL 7 Mar
18.1.98

Submit a standing order that the water rate should be dropped by the S. Supt. who may issue instructions to Sub Dy Comrs when the S. Supt for any reason he may consider be unable to be on the ground himself

19/1/98

19/1/98

23

Dy: Comm^rs Office
Kolar District
Dated 16th December
1897.

To The Secretary to the Government
of Mysore
Revenue and General Depts

Sir,

Adverting to your official
Memorandum No. Let/1722 dated 25th
May 1897. forwarding for report
a petition from Ramégowda, Sunté
-halli, Malur Taluk, complaining
that a heavy waterce ss has
been charged on his lands and
that dry assessment has been levied
addition to wet assessment,
I have the honor to submit herewith
as per accompanying Resist the
vernacular proceedings connected
with the case.

2. It will be observed from the
same that in January 1895
the petitioner applied to the Taluk
Amildar

Survey No.	Extent	Assessment
Dry 44	2—20	1—"—"
—"— 45	2—26	1—"—6—"
—"— 43	2—0	3—"—6—"
—"— 44	2—22	4—"—8—"
—"— 40	2—24	5—"—8—"
—"— 39	2—28	5—"—8—" out of this only 2—8 have been raised with wet crops.
—"— 5 (Part)	4—28	9—"—8—" out of this only 2—8 have been raised with wet crops.

Amildar praying that the ma-
-ally noted dry-lands situate
below Suntehalli tank an
cultivated with a wet crop
in the year Jaya (1894–95) e
might be converted into wet
and assessed at wet
rates.

3. The Amildar after making necessary enquiry submitted the case to this Office for orders. The then Deputy Commissioner Mr Macdiarmid directed him in this Office order No 459 dated 11th April 1895 to inform the petitioners that no change in assessment could be effected until the Survey guarantee expired and if a permanent water-rate was to be levied on the lands it would be equivalent to a wet assessment. A statement in the prescribed form was also called for, for fixing the water-rate.

4. The petitioners having consented to the levy of a permanent water-rate

the Amildar submitted the required statement with his Urzi No. 893 dated May 1895. Water-rate was then fixed with reference to the Survey assessment of similar wet lands minus the ordinary dry rate.

5. The petitioner again in July 1/95 represented to Mr. Madiah that the rate fixed was high as the lands in question were inferior in soil and prayed for the rate being fixed with reference to the adjoining lands. Thereupon Mr. Madiah after perusing the Kharband and Map of the village held in his order No. 260 dated 8th October 1895 that the wet-rate of Rs. 5—9—" per acre fixed for the first 4 numbers was reasonable and that the remaining 3 numbers should have the rate reduced to Rs. 4—14—" per acre and asked the Amildar to report whether the petitioner had anything to say against this arrangement. The petitioner then deposed before the Amildar that the lands in question being

inferior

inferior in quality the lowest rate of wet Assessment prevailing in the locality might be fixed or a reference might be made to the Survey Department on the subject.

6. There was then some correspondence with the Survey Department which led to no result owing to some misapprehension apparently of the views expressed by the Superintendent. The correspondence was as follows:-

"The Survey Superintendent in Mysore was requested in this office Yadi No. 1202 dated 13th April 1896 to kindly fix the wet rates on the lands referred to as prayed for by Ramégow-da on a reference to the classification accounts in his office regarding the inferiority or otherwise of the said lands"

"Reply from the Survey Superintendent to the above of 18th April 1896. "From the steps taken in the case the water-rate appears to have been fixed already in the

District Office. Though the rates fixed are in accordance with the rules, there is no reference in this office to verify their correctness. The Talúk accounts and this Office references do not correspond with each other in similar cases in which water-rates have been fixed. A reply is requested."

Reply from the Dy. Commissioner's Office to the above under date the 22nd April 1896.

"On receipt of the Nearsadi Statement from the Talúk, the water-rate was fixed as the difference between the highest wet assessment of the lands below that Talúk and the dry assessment thereon. The petitioner Rameégowda having stated that the water-rate fixed was high and prayed that the same may be reduced, the village map was perused and it was ordered that the rates fixed regarding the first 4 members should stand and those fixed for the remaining 3 numbers should be reduced to Rs. 4-14-0. The Amildar was asked to report if the petitioner had any objection to this arrangement

and

and a report was received from him stating that the petitioners contended that the lands were not easily irrigable owing to their situation on a higher level and that they were also inferior in soil. Upon this a reference had been made to your office to fix the water rates after referring to the classification records, as to the inferiority or otherwise of the soil of these lands. An order has been issued to the Amildar to state the rates at which the Kerssaradi if any have been imposed and on receipt of the information another communication will be addressed.

The Kissaradi for the lands in question may kindly be fixed and the records returned."

Reply dated 30th April 1896 from the Survey Superintendent.

"This office is not empowered to modify the rates fixed. There is no objection for the rates being fixed by the Survey Department (so long as it is in existence) on a consideration of the state of these lands and the irrigation commanded by

by them in accordance with the prevailing rates in the village, if a statement in the usual form is received. There is no necessity for the classification proposed in the Yadi under reply."

7. Thereupon the then Officiating Deputy Commissioner Mr. B. G. Krishnaiengar issued an order No. 776 dated 9th May 1896 that Rs. Rupees 5-9-0 per acre in the case of the first 4 numbers and Rs. 4-4-0 per acre in the case of the other 3 numbers as fixed by his predecessor Mr. Madiah were reasonable and that water-rates being the difference between these and the dry assessment fixed thereon should be levied in addition to the dry assessment.

8. The allegation of the petitioner in his appeal petition to Government that dry assessment was recovered from him in addition to the wet rates fixed is not borne out by the records of the case. He should be able to prove it, if true, by his receipts.

9. As, according to this Office communication to the Survey

Department, the highest wet rates were first adopted in fixing the water-rate and then modified in the case of some survey numbers only with reference to their position and not with due regard to the question of water supply and quality of soil &c., it is possible that the water-rates may be slightly excessive and it will be satisfactory to ask the Survey Superintendent to fix the water-rates or impose wet rates on the lands in question.

10. The enclosures of your Official memorandum under reply are herewith returned

I have the honor to be,
Sir,
Your Most Obedient Servant

Deputy Commissioner

compd

Section
File No
Serial No

The Secretary to Govt
Revenue and Rev-Dept
"

To.

The Superintendent
of Rev. Survey
in Chromepet

Rc 7085 / P.948 & 28/1/98 P.
1-2-98

Sir,

Enc 2

In forwarding herewith petitions ⊛ Nos 2970 and 3164 dated 1-4-97 and 22-4-97 respectively together with 2 enclosures, from Ramigowda of Santhehalli in the Kolar Taluk, complaining of the levy of heavy assessment on his lands, together with a copy of the Dy Comrs report thereon ~~Nos~~ No 2009 dated 16-12-97 and the 583 Proceedings received with it in (original), I am directed to request you to be so good as to favour Govt with any remarks you may be disposed to make in the matter.

I have the
honour to be
Sir
Your most obedient
servant
for Secretary

⊛ to be obliging enough to return

†25-2-98 ⊛ Rec'd
-2-98

Two Rupees stamp affd.
Abdul Ghafoor
3/4/47

2970

6/4/47

6/4/47

From camp.

I

II

III

IV

15 APR. 97

PETITION DEPARTMENT

DATE 28-4-97

Asstt Secretary,

13/4/97

Section KA
File No 427 1897-98
Gen. Serial No. 30.]
Serial No 1398

5820
Pet 425.
R 2338

From

The Supdt Mysore Rev Survey

To

The Chief Secretary to the Govt
Dewan of Mysore.

Dated 11th February 1898.
Despatched
Received

Enclosures No. one file

General No. 537
No.

In reply to Letter No. 593 of 28-1-98
P 943

SUBJECT.

Submitting remarks on the Petition of Ramegowda, Santekalli, Malur T.K, complaining of heavy water rate on his lands as fixed by the Deputy Commr

---

References—(to be entered only in the Dewan's Office).

Rev 12/2/98

Rec 14/2

25-2-98
15-2-98
Refs Putcl

AK
15/2/98

To Rev Branch for favour of reply to the Asstant Secretary's note dy 25/1/98 below.

16/2/98

Perusing.

A search was made for the order referred to in the note; but none was found.

JRC
23/2
Rem 24/2/98

Mch
25/2/98

The Enclosure refers to this letter No 593 dt 28/1/98 Where is it?

28/2/98

To Rev. A. Branch
28/2/98
Genl: Refs
Please put up ref. quoted in the letter

AK
28/2/98

The number quoted is written neither Registered in Gl Register nor in Special Register of 1890/1.

3/3/98 3/3/98

Subdt. May a copy of letter No 593 be called for from Secr. Supdt

4/3/98

Yes Call for it

4/3/98

Draft

8/3/98

No 537

Survey Superintendent's Office

Bangalore 11th February 1898

To

The Secretary to the
Government of Mysore
Gl & Rd Departts

Sir,

In reply to your letter No. 7085 / No. 943 dated 28th January 1898 forwarding for any remarks I may be disposed to make letter No. 2009 / 583 of the 16th December 1897 with accompanying petitions and enclosures which I herewith return, I beg to report as follows.

2 Ramegauda complains of heavy water rate on his lands as fixed by the Deputy Commissioner. I worked out the water rate which I would myself

-self have imposed and my
GOVERNMENT OF MYSORE
rates compare with those fixed
by the Deputy Commissioner as
shewn below: —

Survey No	Deputy Commr	Survey Supdt
41	3.8	2.8.0
42	3.13	2.8.0
43	3.13	2.4.0
44	3.13	3.0.0
60	3.4	2.0.0
61	3.4	2.8.0
65	3.13	2.0.0

The reason of the difference is
at once obvious. The Deputy
Commissioner has taken the
highest wet for his guidance
while I have taken the neigh-
-bouring rate which I certainly
think is the fairer method as it
allows for position which the
Deputy Commissioner's method

does not.

3 I have done my best to ensure all cases of application for water rate being sent to me and for the most part successfully but the few exceptions, like the case now under reference, cause much trouble and there is the risk of their being altogether over-looked when I incorporate all cases in the Akarbands once in 5 years. Rule ~~XIX~~ of the Land Revenue Rules however gives the Deputy Commissioner power to fix the rate without any reference to me and I am powerless to insist upon all rates being fixed by me whether under Rule ~~XVII~~ or ~~XIX~~. I have long ago suggested to

See this office No 593 dated 28th Nov. 1890

to Government that while the Survey exists in the Province as a separate Department all rates should be fixed by it under Sections 50 and 53 of the Land Revenue Code. This remark of course does not apply to the rates for unsurveyed Taluks as laid down in Land Revenue Rule ~~XIX~~.

4 In the case now particularly under reference I think that if my rates are adopted the Petitioners will be satisfied.

I have the honor to be
Sir,
Your most obedt Servant
H Lumsden
Supdt Mysore Revenue
Survey

Section Proceedings of the Govt of Bombay
File No
Serial No (1)

Government notification No ~~7051~~ PZ 45-97 directing the addition of a rule regarding the use of Govt waters for irrigating land not assessed at wet rates, as para 4, to Section XIX of the Land Revenue Rules.

2. Letter No 690 of dated 6th April 1897 from the Supt Revenue Survey submitting certain remarks regarding the rule referred to above

Order No 9646 PZ 45-96 of 1st May 97

Government agree with the Survey Superintendent that the insertion of the words "stating if he requires it for one year only or permanently" in this rule is apt to lead to uncertainty and confusion. The words will therefore be omitted and an amended rule published

2 In future all draft

revenue rules will be forwarded to the Survey Supt^te^ for his opinion, before they are finally sanctioned and passed

(Sd) V.R. Thyagaraja Iyer
for Secretary

To. The Superintendent
Mysore Rev: Survey

Section

File No. [illegible] 1898 (6)

Serial No. From 8

The Secretary to Govt

To

The Superintendent
Revenue Survey

Dated 9th

Despatched 9th March/98.

Received

General No. 8353-P.

P. No. 1109

Enclosure No.

Referring to his letter No. 537 dated 11th February 1898 submitting his remarks on the petn of Ramigauda of Santhekalli in the Malur Tk, complaining of the levy of heavy water rate on his lands, has the honor to request the Survey Supdt to be so good as to favor Govt with a copy of his letter No. 593 dated 28th Nov 1890, therein quoted

By order

for Secretary

FE 8/3/98

Section
File No Gen: 31
Serial No

Pet 498

Subd 62 Councillor with a note
My 30/3/98.

To Rev Mr Mather
Eastern Dr
My 23/4/98.

Rec'd. 23.4.98
5.30 P.m.

Subd 1st C.R.
My 27/9/98

9754

I am in favor of the amount proposed by Rules XIX (2) & XX (16) of the Survey Rules in para 3 of this letter - & I also be instructed to give information to Survey Supts in cases in which they have fixed the ajustment without reference to any of the under Survey Rules issued 22 Jan 1890

This may be put up

Subd
My 21/3/98

From The Supt Mysore Revenue Survey.

To The Secretary to the Government of Mysore

Dated
Despatched
Received
15th March 1898

General No. 631
No.

Enclosure No. 1

Secretary's Docket No. 8355 P. 1109
dated 9th March 1898.

Has the honor to forward, as desired, the accompanying copy of this Office letter No 593 dated 28th November 1890.

Supt Mysore Revenue Survey.

Petition
21/3

Rejd petn as Subd.
21/3/98 My

Mr Mather has now to be dealt with by Mr Madhava Rao
21.4.98.

Put up
30/3/98.

Also this is dispensed by an order among the papers No 2970

N. 593

Survey Superintendent's Office
Bangalore 28th November
1890.

To

The Chief Secretary to the
Government of Mysore.

Sir,

I have the honor to suggest that, pending decision on the points, connected with the working of the new Land Revenue Rules, referred by me in my letter N. 336 of the 26th August 1890, orders should be issued on one or two points which do not admit of delay. I allude to Rules XIX (2) and XX (16) under the first of the above quoted Rules the Deputy Commissioner should fix the water rate for Patta lands reference only being made to the Survey Superintendent in cases of doubt: under the second Rule XX the Deputy Commissioner

is required to fix the assessment of land surveyed but not assessed under Sec: 50 and the rule framed thereunder.

2. As a matter of fact, notwithstanding the publication of the new Rules I daily receive and dispose of applications under both the above heads. In the case of water rates fixed by me I incorporate once in 5 years, the "Nirsarti" with the dry rate, and correct the Akarbands accordingly. In the case of unassessed lands I fix the assessment in every case, or at any rate have always done so, unless under the authority of the new Land Revenue Rules Deputy Commrs. may have in some cases done so themselves but, if they have, no intimation has ever been given to me and of course the Akarbands remain uncorrected. I may perhaps presume and I certainly hope

hope that the Deputy Commissioners have not as yet acted under Land Rev. Rules XIX and XX as no report has been made to me.

3 As matters now stand the Deputy Commissioner should but as a matter of fact the Survey Department really fixes water rate and assessment of "Karab" lands granted for cultivation.

4 I would earnestly ask the Government to issue instructions without delay amending Land Revenue Rules XIX (2) and XX (16) and directing that all water rates on Patta lands and rates on lands surveyed but not assessed in surveyed and assessed tracts, should be fixed by the Survey Department as hitherto so long as that Department exists. In this way alone can we feel absolute certainty that the Akarbands will

will be kept up to date and correspond with the cultivation. If I may be permitted to say so I am at a loss to understand what can possibly be gained by not making use of the Survey Department so long as it is available indeed I may go so far as to say that the new Land Revenue Rules on this point seem to me to have been framed on the supposition that the Survey Department was to be no longer available, having ceased to exist.

5th In my letter No. 336 of 26th August last I went thoroughly into the grounds of my objection to Land Revenue Rule XXVII and other rules which dealt with the subdivision of Numbers and I can only await the decision of Government but, upon the points which I now urge, I would earnestly ask

for

GOVERNMENT OF MYSORE

for an immediate ruling • as every day brings with it the probability of want of correspondence between the assessment recorded in the village accounts and the Akarbands. A circular such as I suggest will at once remove much misconception and anomaly.

6 On the general question of subdivision of Survey fields referred by me, in my letter N. 336 as above, I have reason to believe that action is being taken by the Revenue authorities under XXVII and others of the new Land Revenue Rules and the question urgently calls for disposal.

I have etc

Sd/ J. P. Grant,

Supdt. Mysore Survey

"Copy"

J. P. Grant

Supdt Mysore Rev. Survey.

Section 28
File No Mis 1805-1
Serial No

48

24/9/20

Dear Sir

I was inoculated (with typhoid serum) yesterday & would not be able to attend to-day

In the case of Ramu Sonba of Santhekatte, Mahur taluk, there is an unpublished proceeding (not in the printed) & a notification amending the LR Rules. At least the notification should be issued in the Revenue Branch. I intended to give

J. A. Revenue
Sub Secretary
24/9/20

If this meets with approval the Revenue Department may issue the necessary notification
24/9/20

Ananthaswami Rao Esq

Madras Chuma when the Kam
Lent was brought up Ld. I
Came away before it was
brought up I request you
will Kindly do the needful
as it would look awkward
if a notice amending the
Act & R Rules appears from
the Revn Branch. The proc
notice have been approved
by 2 Commissioners Govt

Proceedings of the Court of Myrore

Read:-

Petn No 3164 dated 22nd April 1897, of Ramè gaunda of Sankeshalli in the Malur Taluk, complaining that a heavy water rate has been charged on his dry lands converted into wet and that dry assessment in addition to wet has been recovered.

2 Letter No 2009 dated 16th December 1897, from the Dy. Commr, Kolar Dt, reporting that the water rates on the petn lands were fixed by the Dy Commr, that as regards [illegible] were possibly slightly excessive a reference might be made to the Survey Superintendent

Draft Subd to 1st Comdr with a note regarding the difficulties in filling up the blank in para 2 of the Draft

Sd 15/9/98

9871

I have no para 2 filled up the blank. I perceive no difficulty. Submit in my opinion it appears the amount inserted in para 2

16/9/98

16/9/98

Subd to 2nd Comdr

Sd 17/9/98.

I agree & approve

Sd 21/9/98

Superintendent

Statement that dry assessment was levied in addition to the wet assessment was not borne out by the records of the case.

3. Letter No. 537 dated 11th February 1898 from the Supdt of Revenue Survey in Mysore. (in extenso) } To be printed in extenso

* * * * * *

4. Read also

Letter No. 593 dated 28th November 1890, from the Supdt of Rev. Survey in Mysore. (in extenso) } Ditto.

* * * * *

Order thereon.

Govt approve of the water rates, as revised by the Survey Superintendent in this case and direct that these rates should be adopted in levying those forced by the Deputy Commr

the

X/1/Survey

on the 7 S. Rs in question

2. Govt resolve to adopt the amendments proposed to Land Rev. Rules XIX (2) and XX (16) by the Survey Supdt in para 3 of his letter No 593 dated 28-11-20 read above. The following notification will accordingly be published in the Mysore Gazette:—

Notification
No. Dated.

"In exercise of the powers conferred by clause (n) of section 233 (2 clause (t)) of the Mysore Land Rev Code, the Govt of Mysore are pleased to direct that the following alterations be made in Rules XIX (2) and XX (16) of the Land Rev. Rules. ~~and direct that all the rules be published in the following manner.~~"

X/1/IX/A

In Rule XIX para 2, lines 4 & 5, for "the words" in cases of doubt substitute the words" in each case

In Rule XX para 16, at the end after the word "thereunder" insert ", after reference to the Survey Supdt,

3. Deputy Commrs are requested to intimate to the Survey Superintendent what they have done, in cases in which they have fixed ~~rates~~ rates without reference to that officer under the Rules now modified.

Secretary

To, The Dy Comrs, Kolar Dt with records.

2. The Survey Supdt in Mysore

3. The Dy Comrs of other Districts.

12.9.98.

To The Compiler, Mysore Gazette, (with a copy of the Notification)

Re Draft Assessors 53

Section
File No
Serial No Read.

(8)

Petition No 3164 dated 22d April 1897. of Ramégowda of Santheballi in the Malur Taluk, complaining that a heavy water rate has been charged on his dry lands converted into wet and that dry assessment in addition to wet has been recovered.

17
6-1

2. Letter no. 2009/583 dated 16th December 1897 from the Dy Commr, Kolar District, reporting that the water rates on the Petis lands were fixed by the Dy Commr, that as the rates were possibly slightly excessive, a reference might be made to the Survey Superintendent and that the Petitioner's statement that dry assessment was levied in addition to the wet assessment was not borne out by the records of the case.

To be printed in Extenso

3. Letter No 537 & 11th Feb: 98 from the Superintendent of

Revenue Survey in Mysore.

4. Read also:-

Letter no. 593 dated 28th November 1890. from the Superintendent of Revenue Survey in Mysore.

Order thereon:—

Govt approve of the water rates as revised by the Survey Superintendent in this case and direct that these rates should be adopted in lieu of those fixed by the Deputy Commrs on the 7 Survey Nos in question.

2. Govt resolve to adopt the amendments proposed to Land Revenue Rules XIX (2) and XX(16) by Survey Superintendent in para 4 of his letter no. 593 dated 28-11-90 read above. The following notification will accordingly be published in the Mysore Gazette.

3. Deputy Commrs are requested to intimate to the Survey

No 2932-40. dt 12-10-28
R. 1155

Superintendent what they have done in cases in which they have fixed rates without reference to that officer under the rules now modified.

GOVERNMENT OF MYSORE
Section 12(2)
File No L & R 12 56-7
Serial No 12

Notification
No 2941 dated 12.10.98.
R. 1156 13.

In exercise of the powers conferred by clause (n) and by clause (x) of Section 233 of the Mysore Land Rev: Code, the Govt of Mysore are pleased to direct that the following alterations be made in Rule XIX (2) and XX (16) of the Land Revenue Rules :—

In Rule XIX. para 2, lines 4 and 5, for the words "in cases of doubt". Substitute the words "in each case".

In Rule XX. para 16, at the end after the word "thereunder" insert ", after "reference to the Survey "Superintendent".

The Rules as above modified

will read as follows:—

XIX "2. The above rates
"apply to unsurveyed
'Talukas only, and are
"liable to revision on the
'introduction of Survey
"and Settlement. In the
'Surveyed Talukas, the
"Dry Commrs shall fix the
"water-rate with reference
'to the Survey assessment
'of similar irrigated Patta
'lands, minus the ordinary
'dry rate, after reference,
"in each case, to the Survey
"Superintendent"

XX "16. In all Surveyed
"and assessed tracts, the
"assessment of the land given
"for cultivation should be
"that fixed by the Survey
"Department. If the land
"has been Surveyed but not
'assessed, or if the land has
"not been Surveyed, the
"Dry Commrs are required
"to fix the assessment
'under Section 50 and

the

the rule framed thereunder, "after reference to the Survey "Superintendent".

Draft

6-10-98

Secretary

5/10/98

To.

The Dy Commr-
Kolar District
with records.

" Supdt of Revenue Survey
in Mysore -

" Dy Commrs of other
Districts.

Note.

To
The Compiler,
Mysore Gazette
(with a copy of the
notification only)

Rec'd in Office
Branded on 7.12.98
Endt. issued
9.12.98

READ—

Petition No. 3164, dated 22nd April 1897, of Ramegauda of Santhehalli in the Malur taluk, complaining that a heavy water-rate has been charged on his dry lands converted, into wet and that dry assessment in addition to wet has been recovered.

2. Letter No. 2009—583, dated 16th December 1897, from the Deputy Commissioner, Kolar district, reporting that the water-rates on the petitioner's lands were fixed by the Deputy Commissioner, that as the rates were possibly slightly excessive, a reference might be made to the Survey Superintendent and that the petitioner's statement that dry assessment was levied in addition to the wet assessment was not borne out by the records of the case.

3. Letter No. 537, dated 11th February 1898, from the Superintendent of Revenue Survey in Mysore.

In reply to your letter No. 7085—P. 943, dated 28th January 1898, forwarding, for any remarks I may be disposed to make, letter No. 2009—583 of the 16th December 1897, with accompanying petitions and enclosures, which I herewith return, I beg to report as follows—

2. Ramegauda complains of heavy water-rate on his lands as fixed by the Deputy Commissioner. I worked out the water-rate which I would myself have imposed and my rates compare with those fixed by the Deputy Commissioner as shewn below :—

Survey No.	Deputy Commissioner.	Survey Superintendent.
41	3·8	2 9 0
42	3·13	2 8 0
43	3·13	2 4 0
44	3·13	3 0 0
60	3·7	2 0 0
61	3·7	2 8 0
65	3·13	2 0 0

The reason of the difference is at once obvious. The Deputy Commissioner has taken the highest wet for his guidance, while I have taken the neighbouring rate, which, I certainly think, is the fairer method as it allows for position which the Deputy Commissioner's method does not.

3. I have done my best to ensure all cases of application for water-rate being sent to me and for the most part successfully, but the few exceptions, like the case now under reference, cause much trouble and there is the risk of their being altogether overlooked when I incorporate all cases in the akarbands once in 5 years. Rule XIX of the Land Revenue Rules, however, gives the Deputy Commissioner power to fix the rate without any reference to me, and I am powerless to insist upon all rates being fixed by me, whether under Rule XVII or XIX. *I have long ago suggested to Government that while the survey exists in the Province as a separate Department, all rates should be fixed by it under Sections 50 and 53 of the Land Revenue Code. This remark, of course, does not apply to the rates for unsurveyed taluks laid down in Land Revenue Rule XIX.

*See this office No. 593, dated 28th November 1890.

4. In the case now particularly under reference, I think that if my rates are adopted the petitioner will be satisfied.

READ ALSO —

4. Letter No. 593, dated 28th November 1890, from the Superintendent of Revenue Survey in Mysore.

I have the honor to suggest that, pending decision on the points connected with the working of the new Land Revenue Rules, referred by me in my letter No. 336 of the 26th August 1890, orders should be issued on one or two points which do not admit of delay. I allude to Rules XIX (2) and XX (16); under the first of the above quoted Rules, the Deputy Commissioner should fix the water-rate for patta lands, reference only being made to the Survey Superintendent in cases of doubt; under the second Rule XX, the Deputy Commissioner is required to fix the assessment of land surveyed, but not assessed under Section 50, and the rule framed thereunder.

2. As a matter of fact, notwithstanding the publication of the new Rules, I daily receive and dispose of applications under both the above heads. In the case of water-rates fixed by me, I incorporate once in 5 years, the "Nirsarti" with the dry rate, and correct the akarbands accordingly. In the case of unassessed lands I fix the assessment in every case, or at any rate have always done so, unless under the authority of the new Land Revenue Rules. Deputy Commissioners may have, in some cases, done so themselves, but, if they have, no intimation has ever been given to me and of course the akarbands remain uncorrected. I may perhaps presume, and I certainly hope that the Deputy Commissioners have not as yet acted under Land Revenue Rules XIX and XX as no report has been made to me.

3. As matters now stand, the Deputy Commissioner should, but as a matter of fact the Survey Department really fixes water-rate and assessment of "kharab" lands granted for cultivation.

4. I would earnestly ask the Government to issue instructions without delay, amending Land Revenue Rules XIX (2) and XX (16), and directing that all water-rates on patta lands and rates on lands surveyed, but not assessed, in surveyed and assessed tracts, should be fixed by the Survey Department as hitherto so long as that Department exists. In this way alone can we feel absolute certainty that the akarbands will be kept up to date and correspond with the cultivation. If I may be permitted to say so I am at a loss to understand what can possibly be gained by not making use of the Survey Department, so long as it is available; indeed I may go so far as to say that the new Land Revenue Rules on this point seem to me to have been framed on the supposition that the Survey Department was to be no longer available, having ceased to exist.

5. In my letter No. 336 of 26th August last, I went thoroughly into the grounds of my objection to Land Revenue Rule XXVII and other rules, which dealt with the subdivision of numbers and I can only await the decision of Government but, upon the points which I now urge, I would earnestly ask for an immediate ruling as every day brings with it the probability of want of correspondence between the assessment recorded in the village accounts and the akarbands. A circular such as I suggest will at once remove much misconception and anomaly.

6. On the general question of subdivision of survey fields referred by me, in my letter No. 336 as above, I have reason to believe that action is being taken by the Revenue authorities under XXVII and others of the new Land Revenue Rules, and the question urgently calls for disposal.

No. 2932-40—R. 1155, DATED BANGALORE, 12TH OCTOBER 1898.

ORDER THEREON.—Government approve of the water-rates as revised by the Survey Superintendent in this case, and direct that these rates be adopted in lieu of those fixed by the Deputy Commissioner on the seven Survey Nos. in question.

2. Government resolve to adopt the amendments proposed to Land Revenue Rules XIX (2) and XX (16) by Survey Superintendent in para 4 of his letter No. 593, dated 28th November 1890, read above. The following Notification will, accordingly, be published in the *Mysore Gazette.*

3. The Deputy Commissioners are requested to intimate to the Survey Superintendent what they have done in cases in which they have fixed rates without reference to that Officer under the rules now modified.

NOTIFICATION.

No. 2941—R. 1155, dated Bangalore, 12th October 1898.

In exercise of the powers conferred by clause (*n*) and by clause (*h*) of Section 233 of the Mysore Land Revenue Code, the Government of Mysore are pleased to direct that the following alterations be made in Rule XIX (2) and XX (16) of the Land Revenue Rules:—

In Rule XIX, para 2, lines 4 and 5, for the words "in cases of doubt," substitute the words "in each case"

In Rule XX, para 16, at the end after the words "thereunder," insert "after reference to the Survey Superintendent."

Revenue, dated 12th October 1898.

The rules as above modified will read as follows :—

XIX. "2. The above rates apply to unsurveyed taluks only, and are liable "to revision on the introduction of survey and settlement. In the surveyed "taluks the Deputy Commissioner shall fix the water-rate with reference to the "survey assessment of similar irrigated patta lands, minus the ordinary dry "rate, after reference in each case to the Survey Superintendent.

XX. "16. In all surveyed and assessed tracts, the assessment of the "land given for cultivation should be that fixed by the Survey Department. If "the land has been surveyed, but not assessed, or if the land has not been survey-"ed the Deputy Commissioners are required to fix the assessment under Sec-"tion 50, and the rule framed thereunder, after reference to the Survey Super-"intendent."

Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Kolar District, with records.
The Superintendent of Revenue Survey in Mysore.
The Deputy Commissioners of other Districts.

Exd.—H.A.R.

1898-99

GOVERNMENT OF MYSORE

REVENUE

PROCEEDINGS

Dated 12*th October* 1898

No. 2932-40
R. 1155

Ordering certain amendments to para 2 of Rule XIX and to para 16 of Rule XX of the Land Revenue Rules.

M G C P B—9-12-98--120.

Learned Minister
have been kept
before me.

2-2-75

submitted

The question involved
is a general one —
The rules underwent
modification under
the orders of the 1st & 2
Councillors — It may
now be sent to the
1st Councillor

M3/7/75

9-12-98

Section ನಂಬರ್ ಫೈಲ್
File No 2470 2
Serial No 12-3164

ಶ್ರೀಮಾನ್ ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳವರಿಗೆ

ಮಾನ್ಯರವರಲ್ಲಿ ಕ್ಷಮೆಯಿರಲಿ ಸನ್ನೆಹಳ್ಳಿಯಲ್ಲಿ
ಶುಭ ಕಾರ್ಯಕ್ಕಾಗಿ ಇಂದಾಗಬೇಕಾಗಿದೆ.

ಸದರಿ ಸನ್ನೆಹಳ್ಳಿ ಗ್ರಾಮದ ಸರ್ವೆ 41-42-
43-44-60-62-65 ನೇ ನಂಬರ್ ಜಮೀನುಗಳಿಗೆ
ಜಮೀನುಗಳಿಗೆ ಹಿಚ್ಚಾಗಿ ನೀರಾವರಿಯಿದ್ದು
ಬಲಾಢ್ಯರು ಶಕ್ತಿಶಾಲಿಗಳಾಗಿ ಅವರನ್ನು ಕೆಮ್ಮಿ
ಮಂಡಿಸಿ ಕೊಂಡಿಬೇಕಾಗಿರುವುದರಿಂದ
ಇಲ್ಲಿಗೆ ಅರ್ಜಿದಾರರು ಕೊಂಡಿ
1-4-97 ನೇ ಮಳ್ಳು ಮಿನಿ ಅರ್ಜಿಯನ್ನು
ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ದಾಖಲೆಗಳನ್ನು
ಪರಿಶೀಲಿಸಲಾಯಿತು.

ಮೇಲ್ಕಂಡ ಜಮೀನುಗಳಿಗೆ
ನೀರಾವರಿ ಪರಿಕರಗಳನ್ನು ಕೆಮ್ಮಿಸಿ.
ಪೈಪ್‌ಲೈನ್ ಕಿವಿಯನ್ನು ಅವರಿಗೆ ಇಲ್ಲಿಂದ
ಶುಭ್ರವಾಗಿ — ಶೀಘ್ರವಾಗಿ ಆಗಬೇಕು.
ಅರ್ಜಿಯನ್ನು ಪರಿಶೀಲಿಸಿ ಪೈಪ್.

ಬೆಂಗಳೂರು 23-9-98

Rec'd from Rev Dept for issue
on 7. 12. 98
mg

By order
Asst
For Secy

Rec'd No. 4161
N 0 599
No 2323

62
10

Section
File No
Serial No 13

1898-99

From The Deputy Commissioner
Vancouver District.

To The Secretary to the
Court of Inquiry Quesnelle

Dated 5th
Despatched 6th } January 1899.

Received

General No. 411.
No.

Enclosure No. 2

Under the circumstances represented I request instructions

as to the Auditor or Auditors upon whose reference is to be made for the purpose of fixing the rate one day I am

Convened to meet you

55

Ref
9.1.99

Referred Office Note Cont'd and Submitted
98/1/69

No 411
Rec: 2

Deputy Commissioner's office,
Jumkhi District.
Dated, Jumkhi, 5th January 1899

To
The Secretary to the Government
of Ellysore, General and Revenue
Departments.

Sir,

With reference to the alterations in rules ~~XIX~~ (2) and ~~XX~~ (16) of the Land Revenue Rules, Notified in Government Notification No 2941 R: 1156 dated 12th October 1898, requiring a reference to be made to the Survey Superintendent in all cases in which assessment has to be fixed on unassessed land applied for for cultivation and those in which water-rate has to be fixed on dry lands converted to wet, I have the honor to request the favor of instructions as to the matter or matters upon which such reference is directed to be made to the Survey Department. Such references are unnecessary in cases in which the required

n2

data for fixing the assessment or water-rate are available. Where no data is forthcoming, as in the case of lands which are not contiguous to assessed lands, a reference to the Survey Department will be needed as the assessment to be fixed will depend among other things upon the quality of the soil, regarding which there is no information available in the Revenue Department. But such instances are few and far between.

2. In all cases referred to the Survey Department in accordance with the Notification of 12th October 1898 the Survey Superintendent has himself fixed the assessment or water-rate leviable, and directed it for adoption. If a reference has to be made to the Survey Superintendent and his decision has to be adopted in each case, the Deputy Commissioner simply becomes the medium of communication between the

Taluk Amildar and the Survey Department and there will practically be no scope for the exercise of the power vested in the Deputy Commissioner by the Land Revenue Code in the matter of fixing assessment or water-rate (section 50 & 53).

3. Copy of correspondence in a typical case is herewith forwarded for information.

I have the honor to be,
Sir
Your most obedient Servant

M. Narain Rao
Deputy Commissioner

MM.

Draft as per order 65

Section [illegible]
File No [illegible]
Serial No 4 Read:-

(11)

Letter No. 411 dated 5th January 1899 from the Dy. Commissioner, Tumkur District soliciting instructions as to the matter or matters upon which reference is directed to be made ~~in A~~ to the Supdt. of Revenue Survey, under Notification No 2941 / R. 1156 dated 12th October 1898 ~~awarding para 2 of Rule XIX and para 2(16) of Rule XX of the Land Revenue Rule~~

Order thereon:—

In the Notification No 2941/R.1156 above referred to, para 2 of Rule XIX was modified so as to require the Deputy Commissioners to fix the water-rate in Surveyed Taluks after reference in each case to the Supdt. of Revenue Survey. Similarly, para 16 of Rule XX ~~has been~~ was modified so as to require a reference to be made to the Supdt. of Revenue Survey, before

in all cases in which assessment is to be fixed on unassessed land ~~and to be fixed~~ or water rate has to be fixed on Dry lands converted into wet.

No 6325 — 8/3/99

R. 3010 9

W2

can for the assessment under section 50 of the L. R. Code & the Rules framed thereunder.

or surveyed or unassessed or misurveyed lands

In the letter read above, the Dy. Comr. requests in-structions as to the matter or matters upon which such reference is required to be made to the Survey Supdt. He is of opinion that such references are un-necessary in cases in which the required data for fixing the assessment or water-rate are avail-able, and that where no data are available as in the case of lands which are not contiguous to assessed lands, a refer-ence should be made to the Survey Supdt. as the assessment to be fixed will depend among other things upon the quality of the soil regarding which no information is available in the Revenue Department. He further states that in all cases referred to the Survey Supdt. according to

the revised rules, the assess-
-ment or water-rate leviable
has been fixed by that Officer
and the Revenue Department
has to adopt it; and that
if the decision of the Survey
Supdt. has to be adopted
in each case, the Dy. Comr.
simply becomes the medium
of communication between
the Taluk Amildar and
the Survey Department
and will have practically
no scope for the exercise
of the ~~exercise~~ of the
power vested in him by
Sections 50 & 53 of the
Land Revenue Code.

Government observe
that Para 16 of Rule XX (as
now modified) does not
withdraw the powers of
the Dy. Comr. to fix the
assessment under Sec. 50
but only requires him
to make a reference to
the Survey Supdt. before
fixing the assessment. The
classification and water
class records of assessed
lands being in the Survey

satisfactory if the rate approved by the Survey Supt. be fixed and adopted by the Deputy Commissioner in each case. There being now hardly any unsurveyed (Mhuk land) the simple and uniform procedure of first sending the papers to the Survey Department and then the Dep. Comr. announcing the rate approved by the Survey Supt, may, ~~in the opinion of Govt~~, be followed.

~~Under section 53, the Govt have power to authorize the Dep. Comr or the Officer in charge of a Survey or such other officer as it appoints, to fix the water rate.~~

In the same manner, the Dy Comr has power under

Para 2 of Rule XIX (as now modified) ~~directs that in the Surveyed Talukas the Deputy Comr shall fix the water rate~~ after reference in each case to the Survey Supt. Therefore the Dy. Comr's power to fix the water-rate ~~has not been withdrawn by simply requiring him to make~~ after reference to the Survey Supt

Continue para

70

The Dep. Comr is therefore requested to carry out the directions contained in the Rules now in force.

H
7/3/88
for Secretary

To. The Dy Comr Tumkur
Dt
returning enclosures.

Section [illegible]

File No Gen. 30.

Serial No 5

1899

(12)

From The Supt. Mysore Red Survey

To The Chief Secretary to the Govt. of Mysore.

Gl & Red Departts

Dated 6th April 1899

Despatched

Received

Enclosure No.

General No. 691
No.

In reply to —

SUBJECT

Suggesting further amendment of Rules XIX (2) & XX (16) of the Land Revenue Code.

References (to be entered only in the Dewan's Office).

Submitted to Secretary.

The rules underwent modification as directed by the 1st Councillor & approved by the 2nd Councillor in the Retn dept. Vide 1st draft of serial no 8.

11/12/99

Circulars

Issued 15-4-99.

1108 Under s 50 L Rev Code the Govt is empowered to frame the rules, but the same is required to be done after reference to S. The Rules as altered require in my opinion, no further amendments. We cannot divest, if we have such, the powers vested in a Govt of law —

I see in the 5th para of order No 6325 of 9.3.99 a reference to the 3010 of the Mysore Govt. — a copy of this order does not appear to have been sent to S.S. Therefore my note done

15-4-99

Ltr 8.4.99

Have what is contained in that order been complied with.

The order would be invalid if not in accordance with the L. R. Code

NB. I do not know if the order is in accordance with the L. R. Code

21.4.99

Ltr 10/4

Ltr 24/4/99

Ltr 6325 dt 9.3.99

R 3010

We ought not to write to S. Govt with a request that he will move if any further direction

No 691

Survey Superintendent's Office
Bangalore 6th April 1899

To
The Secretary to the
Government of Mysore
Gl & Rev Departts

Sir,

I have the honor to report that a difficulty has occurred with reference to the modification of Land Revenue Rules XIX (2) and XX (16) as published under Proceedings of the Government No. 2941 - R 1156 dated 12th October 1898, at Page 952 of the Mysore Gazette of the 20th October 1898.

Sl. No 8.

2 It will be observed that in my letter No 53 (5) of the 11th February 1898, as also in my letter No. 593 (7) of the 28th November 1890

1890, both of which will be found printed with Government Proceedings of the 12th October 1898, above quoted, I suggested that all rates under Land Revenue Rule ~~XIX~~ (2) and ~~XX~~ (16) should be fixed by the Survey Department. Unfortunately the above Rules, as now amended by Government, provide only for reference to the Survey Department.

3 The Deputy Commissioner of Tumkur has, in regard to certain cases coming under the Land Revenue Rules in question, the particulars of which I need not enter into, duly referred them to me for opinion but he reads

reads the Order of Government as leaving the final settlement of the rates with himself. Of course it is obvious that, under this arrangement, the final rates fixed may possibly never be intimated to me. The Deputy Commissioner says he will intimate all cases where there is a difference of opinion but I think it much safer that the fixing of the rates should be left to the Survey Department. The question has not been raised in any other District and this fact alone shows that whatever procedure is adopted it should be uniform and in no way open to mis-

= construction

= construction.

4 The Deputy Commissioner of Tumkur is in my opinion quite right in his reading of the Rules, now in question, as amended. As both Rules now stand the Deputy Commissioner is to fix the rates, only he must do so after reference to the Survey Department. This is not the course which I recommended in my letters upon which Govt based the Order of 12th October last, and I cannot help think- = ing that the main point of my recommendation was lost sight of in the manipulation of the existing Rules in such a manner

manner as to entail as little
alteration of the wording as possible.
I must confess that I did not
myself at first notice the incongruity
now brought to light by the
Deputy Commissioner of Tumkur.

5 Under the Rules, as now
amended, I do not entertain any
doubt whatever about the rates,
my fears are regarding the want
of system and the increased
correspondence which will be
involved; in short the amend-
ments originally proposed by
me to Rules XIX and XX have
not been adopted in their inte-
grity.

6 If Government agrees
with

with me in thinking the matter
of importance the doubt incul-
=cated might be cleared up by
the issue of a Circular Order
to the Deputy Commissioners
as, in my opinion the better
course, the Rules might be
amended as below

XIX (2) × × × × In the
Surveyed Taluks the Deputy
Commissioner shall refer
all cases to the Survey
Superintendent who will
fix the water rate.

XX (16) × × × × If the
land has been surveyed
but not assessed or if
the land has not been
surveyed

surveyed the Deputy
Commissioner shall refer
to the Survey Department
to fix the rate of assess-
-ment under Section 50
as provided for in Rule
XVII.

I have the honor to be
Sir,
Your most obedt Servant
[signature]
Supt Ellyson Reserve
Survey

Section
File No
Serial No

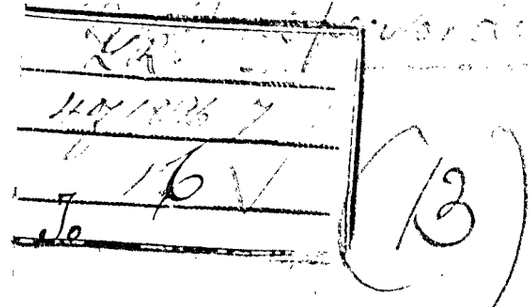
Submitted. [illegible]

The 2d Councillor directs that the Progs of 9·3·99 be printed and sent to other Dy Commrs also. May this be done, after receipt of the Survey Superintendents' reply to this docket.?

88.
25/4/99

Yes
27/4/99 29/4/99

GOVERNMENT



13

The Superintendent of
Revenue Survey in
Mysore.

Dated. 29th April 1899.
29.V
No. 7830 – R.F. 25-98

viz:

Survey Superintendent's Letter No. 691 dt. 6th April 1899, suggesting further amendment of para 2 of Rule XIX and para 16 of Rule XX of the Revenue Rules, so as to authorize the Survey Department to fix (the rate) in all cases, the water rate leviable on dry lands converted into wet in Surveyed Taluks, & the assessment leviable on unassessed lands, instead of a new reference being made to the Survey Supt. by the Dy Commrs in such cases –

from the Supt of Revenue in Mysore,

Referring to the above, has the honor to forward herewith a Copy of Govt Proc. No. 6325 R.3010 dt 9th March 1899 issued on a reference from the Dy

& P.No. 11.

Commr., Tumkur District,
on the Subject, and to re-
-quest that the Supdt: of
Rev Survey will be so good as
~~enough~~ to state, if any
further direction than that
~~what is~~ contained in
that order is necessary.

"By Order"

29/4/99.

~~For~~ Secretary

27/4/99

Section LR Gen. Serial No. 30.]
File No 447/1896-7 (11) 1899
Serial No 7 From The Supt Mysore Red Survey

REVENUE DEPARTMENT GOVT. OF MYSORE 7306 R 3958

Recd already.
Do Opin in recd Govt
C.

Rec'd
Report the letter of the 20/5/99
Ltr
2 Rub Revn 25/3/99
Reply Circular
Subd with refs
9995
26/5

Submitted
2d Councillor
With reference
to order on
paper serial
No. 12 in Mis
file below.
H
26/5/99

To

The ~~Chief~~ Secretary to the Govt
~~Dewan~~ of Mysore.
Gl & Rev Departts

Dated
Despatched
Received
} 20th May 1899

Enclosures No.

General No. 6
No. C

In reply to Docket No 7830 of 29th
R. No. 25-98 Ultimo.

SUBJECT.

Suggesting with reference to Govt Pro: 6325 of 9th March 1899 that it would be to the advantage of State interests that the amendment to Land Rev Rules ~~XXX & XXI~~ proposed by the Survey Supdt in his letter No 691 of the 6th April 1899 should be adopted.

References—(to be entered only in the Dewan's Office).

Rs 6.20 Rec.
26.5.99

Please submit the order of March 9 6325/3010 to Govt with the draft covering letter to the Supdt Survey & Settlement for issue at once.

H
26/5/99

Submitted
2d Councillor
With reference
to order on
paper serial
No. 12 in Mis
file below.
H
26/5/99

Please submit the order of March 9 6325/3010 to Govt with the draft covering letter to the Supdt Survey & Settlement for issue at once.

H
26/5/99

Rs 6.20 Rec.
26.5.99

Please submit the order of March 9 6325/3010 to Govt with the draft covering letter to the Supdt Survey & Settlement for issue at once.

H
26/5/99

Survey Superintendents Office

Bangalore 20th May 1899

To

The Secretary to the
Government of Mysore
Gl & Revenue Departts

Sir,

I have the honor to acknowledge the receipt of your Docket Sp. (13) 7830 dated the 29th April 1899 R# 25-98 in which you ask me whether Government Proceedings Sp. (11) 6325 — 3010 of the 9th March 1899 do not sufficiently dispose of the question raised by me in my letter Sp (12) 691 of the 6th April 1899 as to what Department should fix the water rate under Para 2 of Land Revenue Rule XIX and Para 2 of Land Revenue Rule XX

2 In my letter of no. 691 of the 6th April, as above, I advocated the fixing of the rates being left entirely to the Survey Depart=ment, not because the Revenue Authorities are not quite com=petent to fix those rates but in order to ensure uniformity of practice and the correction, from time to time, of the Akbar=bands. It moreover appears to me anything but economical not to make use of the Survey Department whilst it is avail=able. The Deputy Commissioner of Tumkur alludes to the Deputy Commissioner becoming a mere channel of communication if he

he does not exercise the powers
vested in him by Sections 50 and 53
of the Land Revenue Code. The
Deputy Commissioner must
necessarily be the channel of
communication, not only as
regards the rates now under
discussion but as regards Survey
Papers generally which are in-
-tended for his use.

3 Government Proceedings
No 6325-3020 of the 9th March 1899
still leave the question of the actual
fixing of the rates in some doubt.
I think it would be well to lay
down very clearly that the Survey
Department, while available, shall
fix the rates now under discussion.

In

In this way all danger of un-
authoritative collection or of
collection not supported by
the Akbaud will be, as far as
possible, averted. It is much
more easy for the Survey De-
-partment, than for the Revenue
Department, to ascertain the data
for fixing rates and although,
as I have already stated, the
Deputy Commissioner is quite
competent to fix the rates there
have been one or two instances
in which the rates fixed by the
Revenue authorities have been,
with good reason, appealed a-
gainst, and all Deputy Com-
Commissioners will not take

action

action on exactly the same lines

4 If Government considers it advisable that the powers conferred by Sections 50 and 53 of the Land Revenue Code should be exercised by the Deputy Commissioners I cannot of course oppose such a measure but it will be necessary to lay down very strict rules to ensure the Survey Department being furnished with full particulars in each case for incorporation in the Akalands and I am by no means sure that there will be any saving in correspondence and reference by adopting such a course.

5 I really believe that the amendment suggested in my letter No. 691 (12) of the 6th April 1899 to Land Revenue Rules ~~XIX~~ and ~~XX~~ is to the advantage of State interests.

I have the honor to be
Sir
Your most obed't Servant

L. P. Grant

Supdt Mysore Revenue Survey

Section
File No
Serial No. J. 8 V

The Superintendent
of Revenue Survey
in Mysore.

Dated. 31-5-99.
31
No. 8775
RY. 25-98.

Letter No. 6/C & 20th may 99 from the Superintendent of Revenue Survey in Mysore, Stating that the further amendment of para 2 of Rule XIX & of para 16 of Rule XX of the Mysore Land Revenue Rules, in regard to the fixing of water rate under Sec: 53 2 of assessment under Sec: 50 of the Land Rev: Code, suggested in his letter No. 691 & 6.4.1891, is to the advantage of State interests &c.

With reference to the above, has the honor to invite the attention of the Superintendent of Revenue Survey to Section 50 of the Land

Revenue Code under which the power to fix the rate is vested in the Dy Commr and to request to be informed whether he means that the law should be modified by fresh legislation. As far as Govt can judge, the discretion and action of the Dy Commr have been made entirely Subordinate to and liable to be approved by the opinion of the Supt of Rev: Survey.

"By Order"

VL
29/5/22
Jon Secretary

90

OF MYSORE

& consulted at the stage. I was no party & the original amendment of the Revenue Rule. The

Kodandarama Rao

1/7/99.

Under Secretary

11692 7-7-99 Rec'd 8/7

If any opinion is called for I can only say that I agree in the view taken by my colleague the Revenue Minister, as expressed in his note of 26. 6-99, and that, as remarked by me in my note para 1 of 15. 4-99 N° 11086, (Serial N° 12), we cannot make any rule withdrawing the power vested in Govt by s 50 L.A. Code. That section shall must be amended if the Govt's proposal is to be sanctioned.

8.7.99

Draft & Enclosure 4

10-7-99

91

Received 2½ with a Note

17-7-99

17-7-99

R. 1 5 99 R 5-98

Section 42 1897
File No 42/1896-7
From The Supdt. Bangalore
Serial No
Rev Survey

To

THE SECRETARY TO THE GOVT. OF MYSORE,

Gl. & Rev Dept. 5

Dated 15th June 1899.
Despatched
Received
General No. 832
No.
Enclosure No.

In reply to Secretary's Docket No. 8775 of 31st May 1899. R-T. 25-98

SUBJECT

Submitting further opinion on the subject of amending Land Revenue Rules XIX (2) and XX (16).

References
(to be entered only in the Dewan's Office)

Submitted Secretary
26/6/99

Submitted
23.6.99

R.O. 6 Pm.
26.6.99.

I am directed to forward herewith an application which raises all the questions, remedies the evil complained of & leaves the power given in the body of the Regulation and interpreted with reference to necessity but go beyond that interpretation so as to provide a positive & express direction. This arrangement be submitted to the Committee & again submitting hereto the different views

26.6.99

Submitted
28/6/99

R.O. 7 Pm.
28/6/99
(557)

I do not all with

No. 832

Survey Superintendent's Office
Bangalore 15th June
1899

To

The Secretary to the
Government of Mysore
Gen and Rev. Depts.

Sir

I have the honor to ac-
-knowledge the receipt of your
letter No. 8775 / R.F. 2598 dated 31st May
1899 on the subject of the
amendment of Land Revenue
Rules XIX (2) and XX (16) as
proposed in my letter No 691
of 6th April 1899 and also in
my letter No 6 of the 20th Mar
last.

GOVERNMENT OF MYSORE

2. In your letter under reply you draw my attention to — Section 50 of the Land Revenue Code under which the power to fix the rates is vested in the Deputy Commissioners, and you enquire whether it is my meaning that the — law should be modified by fresh legislation.

3. In my opinion no modification of the law is ~~—~~ necessary, in order to give effect to the amendments which I have suggested. — The power vested in the — Deputy Commissioner under Section 50 is, the same Section, declared

declared to be subject to Rules or orders made under Section 233. Section 233 (f) deals specifically with Sections 50 and 111 and, through the latter, with Section 53. Moreover Section 53 provides for the Government authorising such Officer as it may appoint to fix the water rate. It is therefore, I think, quite competent to Government, under Section 233 (f), to make such ruling as may be deemed necessary to regulate the system and manner of assessing land under Sections 50 and 53 of the Code.

4. There cannot, to my mind, be any doubt that by leaving the Survey Department to fix the rates there will be a gain in uniformity, system and, above all, in an assurance of the Akarbands being corrected up to date, thus tallying with the village accounts. Up to 1888, when the Land Revenue Code was passed, everything went smoothly. Duplicate Statements embodying particulars of each application, whether for assessment of unassessed land or of water rate, were submitted to the Superintendent of Survey who, after

fixing

fixing the rate, retained
one copy for the periodical
correction of the Akarband,
returning the other copy
to the Revenue Department
to be given effect to pending
receipt of corrected Akarband.

5 Some time however after
the Land Revenue Code had
been passed, one of the Deputy
Commissioners considered, nor
can I blame him for so
doing, that he was vested
with power to fix the rates
himself without any refer-
ence to the Survey Depart-
ment. But unfortunately,
not recognizing the necessity
of his rates being incorporated

in

in the Akarband he went farther, and failed to give any intimation whatever to the Survey Department of what he had done. The other Deputy Commissioners, so far as I am aware, have continued to send Statements of applications to me in order to have the rates fixed, in the usual manner. It is of course obvious that, at any rate in one District, water rates as well as assessment on unassessed lands have been fixed and that the Akarbands have still to be brought up to date

a

a work which will give me much trouble.

6. You observe in your letter under reply that, so far as Government can judge, the discretion and action of the Deputy Commissioners have been made entirely subordinate to and liable to be approved by the opinion of the Superintendent of Survey. With all deference I would observe that under the Rules, as now modified by Notification No. 2941-R. 1156 of the 12th October 1898, and even as emphasised by Government Proceedings No 6325-R-3010 dated

dated 9th March 1899, the
power of the Superintendent
of Survey is purely advisory.
It is of course, I admit,
highly improbable that —
Deputy Commissioners will
refuse to adopt the suggest
-ions of the Superintendent
of Survey but as the power
to fix the rates still un —
-doubtedly remains with the
former, it is by no means —
impossible that, with the —
best intentions, their action
may be detrimental to the —
correct up-keep of the —
Registers. A Deputy Com —
-missioner might modify
the rates suggested by the
Survey

Survey Superintendent or he might think his course so very plain as to require no reference and rates might be fixed without any intimation being given to the Survey Department. I think that the doubts and opinions expressed by the Deputy Commissioner of Tumkur in his letter No 411 of 5th January 1899 lend some support to the above apprehension.

7 There have been a good many instances in which Deputy Commissioners have fixed rates, especially under Land Revenue Rule XIX (2), which did not at all

recommend

recommend themselves to me but I have no wish to lay any great stress upon this point for no doubt the work is new to them and they would soon fall into it, — but the danger of the — Registers falling into arrears is different and I would be glad to see the fixing of the rates left entirely to the Survey Department, while it is available. I must confess that I can-not see any possible — advantage in <u>not</u> utilizing the Survey Department especially when the contrary

course

course, carries no advantages and, as I have endeavoured to show, involves some risk of the Akarbands falling into confusion and not tallying with the village accounts.

I have the honor to be
Sir
your most obedient servant

L. J. Scott

Supt. Mysore Rev. Survey

Section: L.R.
File No. L.R. 1896-7
Serial No. 20

17

Read again:—

(1) Government Notif= No. 2941/R.1156 dated 12th October 1898, directing that certain alterations be made in Rule XIX (2) & Rule XX (16) of the L. R. Rules.

(2) Government Progs: No. 6325/R.3010 dated 9th March 1899 issuing instructions as to the procedure to be adopted by Dy. Comrs in carrying out the above rules,

Read:—

(1) Letter No. 691 dated 6th April 1899, from the Supdt. Mysore Rev. Survey suggesting further amend= =ment of the rules so that the fixing of the water rates, be left entirely to the Survey Department.

questing the Survey Supdt.
to state if any further
direction than that contained
in G. O. No 6325 above
R. 3010
referred to, is necessary.
(3.) Correspondence ending
with letter No 832 dated
15th June 1899 from the
Supdt. of Rev. Survey stating
that it would be to the
advantage of State in-
terests to adopt the
amendment of the rules
suggested ~~in his letter~~ by him
~~No 691 above referred to.~~

Order thereon:—

In the notification
read above the rules
were modified so as
to require the Dy. Comrs
to fix the water rate
after reference in each
case to the Supdt. of
Revenue Survey.

No 652 of 21/7/99
R. 7 25-98

a further modificatio
of the rules so as
to leave the fixing
of the water rates
entirely to the Survey
Department & Govt.
agency while & that
is available. He
states that this course
would ensure uniformity
of practice and
timely correction
of the Akarbands
so as to make them
tally with the village
accounts. He further
considers that no modi
-fication of the existing
law is necessary in
order to give effect
to the amendments
suggested by him,
as under section
223(f) of the L.R.

Code, the Govt is competent
to make such rulings as
may be deemed necessary
to regulate the system
& manner of assessing
land under sections
50 & 53 of the Code.

3. Govt are disposed
to stop for the present
with the direction ~~con-~~
~~tained~~ already given
which serves all the
purposes, remedies
the evil Complained
of and leaves the power
given in the body
of the Regulation
~~un~~ unterfered with.
There is no necessity
to go beyond [illegible] Strain
the interpretation so
as to evade a positive
and express direction
Govt cannot make
~~any~~ expressly
any rule withdrawing

50 of the L. R. Code
That section itself
must be amended if
the Survey Supdt's
present proposal
is to be sanctioned

The respects
in which
many practical
inconveniences
have been
experienced
in the working
of the present rule
it is intended
shortly to submit
to Govt such
instances when
the matter may
again receive
further consideration

16/7/99

15/7/99 Secretary

To
The Supdt. of Govt Survs
in Mysore

Recd
18.7.99

Issued
19-7-99

[illegible] 27.5.97 [illegible] 1722 [illegible]
[illegible] [illegible] [illegible]
[illegible] 7.8.99

Petn Branch:-

Please refer to Wr. 3009 of 16.12.97 from Dy. Commr. Kolar for reference req.

A.S. 7.8.99

Ph 7/8/99

Rev: Br.

Please put up Genl. No: 6739 6.498. from Genl. Deptt. No: 631 of 15.3.98. & connected ops. relating to the Petn. which were sent to your Br. on 1-10-98. for issuing the draft order.

AK 7/8/99

Petn

R. 725 of 98 contg. the above refce. is pending.

11/8/99.

Draft note reference of Court order serial No. 8 in the file.

11/8/99

To Dy Commr for Dispatch by cust- Ph 12/8/99.

Off. Om pntd 14.8.99

2.8.99

4.8.99

To, Ves: Records for refers.

3/8/99

Section 1897

File No

No. Serial No

Name of Petitioner Ramegowda

Village Sauttahally Hobli

Taluk Malur

District Kolar

Date of Arzi 31-7-99

Date of Receipt 31-7-99

Date of Disposal

No. of Enclosure Nil

ABSTRACT

Petr submits that he file
an appeal to Court on 1.4.97, aggr
the order of the Lower to di
ing the levy of excess Assess
on S.Nos 41, 42, 43, 44, 60, 62 & 65
of Sauttahally village, and has
prayed also for the refund
of the excess amount recove
from him for 4 years; that
Court in reply gave him acc
Endg No. 2970 dated 7.12.98
3164
informing him that order
had been passed to the Dep
Lower to reduce the Assess
on the said land, but that no
direction was made therein
to refund the excess recov
from him as prayed for by
the Petr. That the Guidel

excess amount received
on him for legacy
duty as no
application had been made
to Court regarding the
refund prayed for and
as Court considers it
necessary for to do so
Praying that order
may be issued to the
Collector to refund to
him the excess received
from him

1/8/99

Pet. Pr 142 LR (19)

Section LR
File No. 19
Serial No. 243

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition
Registered No. 244 dated 31. 7. 99
received at the Dewan's Office from
Ramaji Gauda of Sandehally
Malur Taluk, praying for the
refund of the excess recovered from
him on account of his sarvi on S.
Nos. 41. 42. 43, 46, 60, 61, & 65 of his villa

is forwarded, ~~together with its~~
enclosure, to the Deputy Commissioner
of the Kolar District,
for disposal. By endorsement

Dafc

By order,

for Secretary.

BANGALORE,
14/8/1899.
16
Tbsly